

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS

JUNE 5, 1968

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. on Wednesday, June 5, 1968, in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - BROWN, CULBERTSON, KIRSTEN
SCHAFER and HUNNELL (Mayor)

Absent: Councilmen - None

Also present: City Manager Graves, Assistant City Manager Peterson, City Attorney Mullen and Planning Director Schroeder.

PLEDGE

Mayor Hunnell led the Pledge of Allegiance to the Flag.

MINUTES

On motion of Councilman Brown, Schaffer second, Minutes of May 15, 1968 were approved as written, corrected by the City Clerk and mailed.

PUBLIC HEARINGS

PROPOSED
MULTIPLE-FAMILY
ZONING
ORD. NO. 862

Public hearing on the proposal to amend Chapter 27 of the Lodi City Code having been continued from the meeting of May 15, 1968, Mayor Hunnell requested a report from the City Manager. City Manager Graves explained that a chart, which had been requested by the City Council at the May 15 meeting, had been prepared and submitted to the Council prior to the meeting. The chart indicated all criteria for the various residential requirements in all zones and a table was included showing all apartments in R-4 zones and how the proposal would affect these apartments. There being no one in the audience who wished to speak in favor of or against the proposal, the public portion of the hearing was closed. After Council discussion, Councilman Schaffer moved introduction of Ordinance No. 862 amending Chapter 27 of the City Code thereby revising the present multi-family residential zoning districts and modifying the off-street parking requirements as recommended by the Planning Commission. The motion was seconded by Councilman Culbertson and carried by the following vote:

Ayes: Councilmen - BROWN, CULBERTSON, KIRSTEN,
SCHAFER and HUNNELL

Noes: Councilmen - None

Absent: Councilmen - None

APPEAL -
I. R. BENDER

Notice thereof having been published in accordance with law, Mayor Hunnell called for hearing on the appeal of Irvin R. Bender from the decision of the City Planning Commission in denying his request for a variance to permit the retention of an illegal 6-foot-high, masonry fence at 805 West Walnut Street in an area zoned R-2, Single-Family Residential. Planning Director Schroeder introduced the matter and presented a sketch of the property. Mr. Schroeder stated the Planning Commission had determined that the fact that the masonry fence had already been erected did not constitute a zoning hardship.

Mr. Irvin R. Bender, 805 West Walnut Street, spoke in favor of his appeal. He stated he desired the

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fence both for privacy and safety. Four letters had been received in favor of the appeal. There being no others in the audience who wished to speak on the matter, the public portion of the hearing was closed. After discussion, Councilman Culbertson moved the decision of the City Planning Commission be upheld and the appeal be denied. The motion was seconded by Councilman Brown and carried unanimously.

City Attorney Mullen, on request of Mayor Hunnell, defined the term "hardship" as referred to in the Zoning Ordinance.

PLANNING COMMISSION

PROPOSED AMENDMENT TO BUILDING CODE

At its meeting of May 27, 1968 the City Planning Commission recommended to the City Council that the Building Code be amended so as to require a no-fee permit for the construction of any new fence within the City limits. The Planning Commission also recommended a permit form as well as alternate means of informing the public of the need for a fence permit. After discussion and comments regarding the permit, the Council approved the use of the permit form as well as other means to inform the public of the need for a fence permit.

The City Council then discussed the proposed amendment to the Building Code. Councilman Brown moved introduction of Ordinance No. 863 amending the Building Code to provide for a no-fee permit for the construction of any new fence within the City limits. The motion was seconded by Councilman Kirsten. Under the question, the Council became aware that the amendment had not as yet been drafted; subsequently the motion and second were withdrawn. Councilman Culbertson moved, Kirsten second, that the staff be instructed to prepare for the June 19 meeting an appropriate amendment to the Building Code to provide for a no-fee permit for construction of new fences. The motion carried by unanimous vote.

OTHER ACTIONS

Other actions of the Planning Commission at its meeting of May 27, 1968 were as follows:

1. Denied the request of Mr. Konrad Munsch for a variance to reduce the required 5-foot side yard to 0 feet on a parcel zoned "M" Industrial which is adjacent to a parcel zoned R-4 at 321 North Sacramento Street.
2. Denied the request of Mr. Robert Engelson for a variance to permit the replacement of an existing 42-inch-high, conforming wooden fence with a five-foot fence of wood or chain link at 301 N. Crescent Avenue in an area zoned R-2.

COMMUNICATIONS

APPEAL K. MUNSCH

A letter was read from Konrad Munsch appealing the decision of the City Planning Commission in denying a request for a variance to reduce the required 5-foot side yard to 0 feet on a parcel zoned "M" Industrial which is adjacent to a parcel zoned R-4, Multiple-Family-Institutional Residential at 321 N. Sacramento Street. The matter was set for public hearing on June 19, 1968, on motion of Councilman Brown, Culbertson second.

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APPEAL -
R. ENGELSON

A letter was read from Robert Engelson appealing the decision of the City Planning Commission in denying a request for a variance to permit the replacement of an existing 42-inch-high conforming wooden fence with a 5-foot-high fence of wood or chain link on the property line at 301 North Crescent Avenue in an area zoned R-2, Single-Family Residential. On motion of Councilman Culbertson, Brown second, the matter was set for public hearing on June 19, 1968.

CLAIM FOR
DAMAGES

A "Claim for Damages" was received from Judith M. Oswald in the amount of \$50,000. On motion of Councilman Brown, Culbertson second, the Council denied the claim of Judith M. Oswald and referred it to the City's Agent of Record, Max Elson.

FRESNO RE
SB NO. 624

RES. NO. 3190

A letter was read from the City of Fresno requesting the City Council to adopt a resolution concerning Senate Bill No. 624. The bill, if passed, will change the Mayo-Breed formula for allocation of gas tax fund monies for the state highway program to the detriment of the counties in Northern California. On motion of Councilman Brown, Schaffer second, the City Council adopted Resolution No. 3190 opposing any change in the present 55-45 allocation of State Highway Funds.

E. KLAPSTEIN RE
WIDENING OF
HAM LANE

City Manager Graves stated he had received a letter from Emil and Sadie Klapstein stating they felt \$2,000 to be a fair price for a strip of land 15' x 93' on the west side of Ham Lane between Walnut Street and Lodi Avenue which would be used by the City for widening of Ham Lane. A letter had also been received from Mr. David Melcher, Realtor, stating he felt \$2,000 to be a fair price for the strip of land. The City Manager explained that, at present, the City has no plans for the widening of Ham Lane. Mr. Klapstein, 106 South Fairmont Avenue, was in the audience and explained that, although the City presently has no plans for the widening of Ham Lane, he is considering developing his property and would like to have the matter resolved before he makes further plans. After discussion, the Council felt Mr. Klapstein should discuss the matter further with the City Manager so that he has a clear understanding of what is required by the City. Councilman Culbertson moved that the building permit which Mr. Klapstein has applied for be withheld until the Council has resolved this matter. The motion was seconded by Councilman Kirsten and carried with Councilman Brown voting no.

CAC
BD OF DIR

Mayor Hunnell notified the Council that the Community Action Council of San Joaquin County has requested the Council to appoint a member to their Board of Directors. The Mayor suggested this matter be discussed at the next Council meeting.

CALIF
JUDICIAL
MERIT PLAN

The Mayor read a letter received from Mr. William F. Bramstedt, Chairman of the California Judicial Merit Plan Committee requesting the City Council to endorse the Judicial Merit Plan. Councilman Kirsten moved the City Council go on record endorsing the California Judicial Merit Plan. The motion was seconded by Councilman Brown and carried unanimously.

LODI
SPORTSMAN'S
CLUB

Mr. Traver Martin, President of Lodi Sportsman's Club, 712 South Hutchins Street, addressed the City Council and stated that a ceremony of dedication is being planned relative to the fish screen which has been

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installed at the Woodbridge Dam. Mr. Martin requested an official of the City be present at the dedication ceremony and the Mayor assured Mr. Martin that a representative of the City Council would be in attendance.

REPORTS OF CITY MANAGER

CLAIMS

Claims in the amount of \$675,635.05 were approved on motion of Councilman Culbertson, Schaffer second.

AWARD - LODI AVE. ST IMPROVEMENTS

Bids on the Lodi Avenue Street Improvements- Wood Drive to Ham Lane, were presented totaling as follows:

RES. NO. 3191

Claude C. Wood Company	\$ 99,912.85
Republic Construction Company	124,822.10

The City Manager recommended the bid be awarded to the low bidder. On motion of Councilman Kirsten, Brown second, the City Council adopted Resolution No. 3191 awarding the contract for the Lodi Avenue Street Improvements to Claude C. Wood Company for the amount of the bid.

STREET STRIPING - HAM-LODI AVENUE

At its meeting of May 15, 1968, the City Council requested the Public Works Department to prepare sketches illustrating alternate methods of striping which would provide left turn lanes for the Ham Lane-Lodi Avenue intersection. The City Manager presented six alternate drawings proposing various methods of striping. After discussion, Councilman Culbertson moved the Council adopt Alternate "D" which provides for varying storage in the four left turn lanes and prohibits parking a total curb distance of 1560 feet. The motion died for lack of a second. Councilman Schaffer then moved the Council delay action on this matter until the meeting of July 3, 1968 so that the staff would have sufficient time to compare this intersection with the Hutchins Street-Lodi Avenue intersection. The motion was seconded by Councilman Kirsten and carried with Councilman Culbertson voting no.

SALE OF HOUSE - NE COR HAM & LODI AVENUE

The City Manager stated the widening of the Ham Lane-Lodi Avenue intersection is now complete and suggested that arrangements be made for the sale of the house on the northeast corner of this intersection which the City previously purchased. He suggested disposing of the property through the local multiple-listing service. Councilman Culbertson moved the property be offered for sale through the multiple-listing service for a price of \$17,000. The motion was seconded by Councilman Brown, and failed to pass with Councilmen Kirsten, Schaffer and Hunnell voting no. Mayor Hunnell felt he would like more time to consider the matter. Councilman Kirsten then moved, Schaffer second, the matter be reconsidered at the meeting of June 12, 1968. The motion carried.

PURCHASE OFFSET DUPLICATOR

On motion of Councilman Schaffer, Brown second, the Council approved purchase of an offset duplicator to replace the present mimeograph machine. Councilman Culbertson moved an amendment to the motion to include a maximum purchase price of \$1,600, plus tax. The amendment to the motion was seconded by Councilman Schaffer and carried unanimously. The original motion then carried by unanimous vote.

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SPECS -
DUMP TRUCK

Specifications for one dump truck were approved and calling for bids authorized on motion of Councilman Culbertson, Schaffer second.

SPECS -
PICKUP
TRUCK

Specifications for one 3/4-ton pickup truck and chassis were approved and calling for bids authorized on motion of Councilman Brown, Schaffer second.

SPECS -
TRUCKS &
CHASSIS

Specifications for two tilt-cab trucks and chassis were approved and calling for bids authorized on motion of Councilman Culbertson, Brown second.

SPECS -
POWER
POLES

Specifications for power poles were approved and calling for bids authorized on motion of Councilman Schaffer, Kirsten second.

CHAMBER RE
SP PROPERTY

City Manager Graves discussed the letter received from the Chamber of Commerce requesting the City Council to consider a land trade with the Southern Pacific Company. Mr. Les Dabritz, Chamber of Commerce Manager, addressed the Council on this matter and stated a representative of the Southern Pacific Company has expressed a desire to discuss with the City Manager the possibility of a land trade between the City of Lodi and the Southern Pacific Company. The City Council agreed that the Chamber of Commerce should arrange a meeting with the City Manager and a representative of the Southern Pacific Company to consider the above matter.

CENSUS

The City Manager stated he had received notice from the Census Bureau that if the City desires to be included in the 1970 Block Statistics Program a contract must be signed and \$200 remitted by July 1, 1968. The information contained in block statistics data is invaluable in that it can be used in population and density forecasting; studies of age group changing; land-use expansion and many other subjects related to urban growth. On motion of Councilman Culbertson, Kirsten second, the Council approved contracting with the U. S. Department of Commerce for inclusion of the City of Lodi in the 1970 Block Statistics Program.

1968-69 BUDGET

City Manager Graves commented briefly on the 1968-69 budget and explained the major reasons for the increase of 10.6% over the previous year's budget.

FOUNTAIN -
CIVIC CENTER
MALL

Mayor Hunnell suggested dedicating the fountain in the Civic Center Mall in memory of those men from the Lodi District who have lost their lives in the defense of our Country. On motion of Mayor Hunnell, Schaffer, the City Council approved dedicating the fountain as suggested and instructed the City Manager to prepare an appropriate dedication plaque for Council approval.

LAFC -
SPHERES OF
INFLUENCE

Councilman Culbertson reported to the Council that the Local Agency Formation Commission had accepted the suggestions submitted by the Council regarding spheres of influence.

ADJOURNMENT

At 11:35 p.m. the City Council adjourned on motion of Councilman Brown, Schaffer second, to Wednesday, June 12, 1968 at 8:00 p.m.

ATTEST: 
Bessie Bennett
City Clerk